

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GS HOLISTIC, LLC,

CASE NO. C23-0400JLR

Plaintiff,

ORDER

V.

ONWARD MEDIA LLC, et al.,

Defendants.

Before the court is Plaintiff GS Holistic, LLC’s (“GS Holistic”) motion for a
ay extension of the deadline to file a waiver of service. (Mot. (Dkt. # 13).) Because
of the Defendants have appeared in this action, the court exercises its discretion
r Federal Rule of Civil Procedure 1 to decide this motion before the September 22,
noting date. Fed. R. Civ. P. 1 (directing courts to construe the Federal Rules of
Procedure “to secure the just, speedy, and inexpensive determination of every
n and proceeding”). The court has reviewed GS Holistic’s motion, the relevant

1 portions of the record, and the governing law. Being fully advised, the court GRANTS
2 GS Holistic's motion.

3 On August 22, 2023, the court granted in part GS Holistic's second motion for an
4 extension of time to effect service on Defendants Jonathan Stephani and Rahn Burns
5 (together, "Defendants") and ordered GS Holistic to file proof of service on Defendants
6 by no later than September 12, 2023. (8/21/23 Order (Dkt. # 12); *see also* 6/15/23 Order
7 (Dkt. # 8) (granting GS Holistic's first motion for an extension of time to effect service).)
8 The court further stated that failure to timely file proof of service would result in the
9 dismissal without prejudice of GS Holistic's claims against Defendants and that no
10 further extensions of the deadline to serve Defendants would be granted. (8/21/23 Order
11 at 3-4.)

12 Rather than timely file proof of service, however, GS Holistic filed the instant
13 motion. (*See* Dkt.) GS Holistic represents that it has been communicating with counsel
14 for Defendants regarding settlement. (Mot. ¶ 2.) Because the parties have not yet
15 reached a settlement, GS Holistic emailed waivers of service to Defendants' counsel. (*Id.*
16 ¶ 3.) GS Holistic, however, received an automatic response to its email stating that
17 Defendants' counsel would be in trial until September 13, 2023. (*Id.* ¶ 4.) As a result,
18 GS Holistic now requests a 10-day extension of the deadline to file the waivers of
19 service. (*Id.* ¶ 5.)

20 Local Civil Rule 7(j) provides that a "motion for relief from a deadline should,
21 whenever possible, be filed sufficiently in advance of the deadline to allow the court to
22 rule on the motion prior to the deadline." Local Rules W.D. Wash. LCR 7(j). "Parties

1 should not assume that the motion will be granted and must comply with the existing
2 deadline unless the court orders otherwise.” *Id.* Here, GS Holistic has provided no
3 justification for why it could not have sent waivers of service to Defendants’ counsel well
4 in advance of the deadline set in the court’s August 22, 2023 order. (*See generally* Mot.)
5 Nevertheless, the court will GRANT GS Holistic’s motion for a ten-day extension of the
6 deadline to file the waivers of service (Dkt. # 13). GS Holistic shall file the waivers of
7 service by no later than **September 22, 2023**. GS Holistic is ORDERED to be mindful of
8 the deadlines set by this court in the many cases it has filed in this District and to plan
9 ahead to meet those deadlines. No further extensions of deadlines will be granted in this
10 case.

11 Dated this 14th day of September, 2023.

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JAMES L. ROBART
United States District Judge